

Attorney's Docket 067810-0304489
Client Reference: PI-021



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of:
BRADLEY ET AL.

Confirmation Number: 7401

Application No.: 10/619,750

Group Art Unit: 3677

Filed: July 14, 2003

Examiner: Sandy, R.J.

For: OPEN FRAME TRAY CLIP

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NOV 23 2004
OFFICE OF PETITIONS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

Please find the following documents for filing in the above matter:

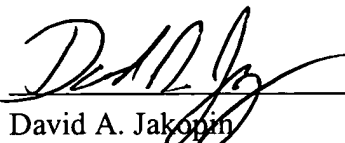
1. Verified Statement signed by Assignor outlining the circumstances surrounding the discovery of and need to correct small entity to large entity status;
2. Deficiency Payment Submission and Itemization per 37 CFR §§ 1.28(c) and (2) *et seq.*; and Return postcard.

FEE PAYMENT

Authorization is hereby made to charge the amount of \$ 470.00 to Deposit Account No. 502213. Charge any additional fees required by this paper or credit any overpayment in the manner authorized above. A duplicate of this paper is attached.

Date: 11/15/04

PILLSBURY WINTHROP LLP
2475 Hanover Street
Palo Alto, CA 94304-1114



David A. Jakopin
Reg. No. 32,995



CERTIFICATION UNDER 37 C.F.R. §§ 1.8 and/or 1.10*

(When using Express Mail, the Express Mail label number is *mandatory*; Express Mail certification is *optional*.)

I hereby certify that, on the date shown below, this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date:

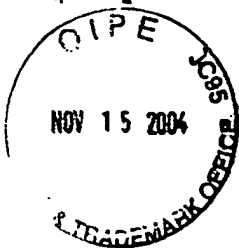
11/9/04

Signature

BRIDGETTE MASSEY

(type or print name of person certifying)

* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.



Docket No.: 067810-0304489 (PI-021)

IFW/DAC
DIVISION
1.28

2004 NOV 18 PM 1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Bradley et al.
Serial No.: 10/619,750
Filing Date: July 14, 2003
Title: Open Frame Tray Clip

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DEFICIENCY PAYMENT SUBMISSION AND ITEMIZATION
PURSUANT TO 37 CFR § 1.28(C)(1) and (2) et seq.

Applicants claimed Small Entity status at the time of filing the above-identified patent application. However, the small entity claim was an error made in good faith that arose under the circumstances outlined in the Verified Statement filed simultaneously herewith.

Pursuant to 37 CFR § 1.28(c)(1) and (c)(2) *et seq.*, Applicant herewith files this Deficiency Payment Submission and Itemization for the above-referenced matter.

Item Charged	Small Entity Fee paid in Error	Large Entity Fee due/pd (per 10/1/04 fee schedule)	Line Item Difference	Total Deficiency Payment Due
Initial filing fee	385.00	790.00	405.00	
Surcharge	65.00	130.00	65.00	
Assignment	40.00	N/A	-0-	
16 claims in excess of 20	N/A	288.00	-0-	
1 indep claim in excess of 3	N/A	86.00	-0-	
				\$ 470.00

11/19/2004 DALLEN 00000003 502213 10619750

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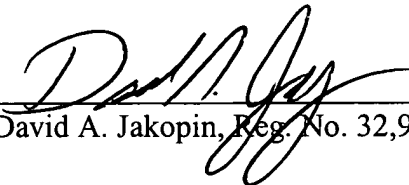
The Commissioner is hereby authorized to charge the total Deficiency Payment Due and any other associated fees or deficiencies to Deposit Account No. 50-2213.

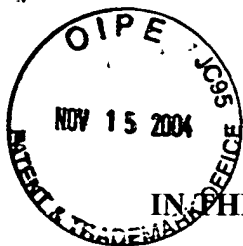
Dated: 11/5/04

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By:


David A. Jakopin, Reg. No. 32,995



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Bradley et al.

Art Unit: 3677

Serial No.: 10/619,750

Examiner: Sandy, R.J.

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Title: **Open Frame Tray Clip**

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P.O. Box 1450
Alexandria, VA 22313-1450

VERIFIED STATEMENT

Sir/Madam:

Applicants claimed Small Entity status at the time of filing the above-identified patent application. However, the small entity claim was an error made in good faith that arose under the following circumstances.

The undersigned recently inquired about the level of control and ownership exerted by Peak Plastic and Metal Products (International) Ltd. (hereinafter Peak Plastic) on its processing partner in China. It was determined in August that since Peak Plastic is paying the contract workers in China directly that Peak should include the contract workers in the count of employees working for Peak. Peak Plastic previously thought it was a small entity because it did not consider the contract workers working in China as its employees. Please correct the Patent Office records to reflect the status of Peak Plastic and Metal Products (International) Ltd. as a Large Entity.

Applicant is filing simultaneously herewith a Deficiency Payment Submission and Itemization pursuant to 37 CFR §1.28(c)(1) and (c)(2) *et seq.*

Dated: 10/28/04

Peak International Ltd.

By: Isabelle R. McAndrews

Isabelle R. McAndrews, Reg. No. 34,998